

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
EDWARD A. GIVEN,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 05-11663-NMG
	)	
ROBERT MURPHY,	)	
	)	
Respondent.	)	
_____	)	

**Respondent Robert Murphy's Second Motion  
for Extension of Time to File Memorandum  
in Opposition to Petition for Writ of Habeas Corpus**

Respondent Robert Murphy hereby respectfully moves the Court for a one-week extension—until August 27, 2007—to file a memorandum opposing the merits of Petitioner Edward A. Given's petition for a writ of habeas corpus. In support of this motion, Respondent states as follows:

1. Given's habeas petition raises two claims, both of which raise complex legal issues stemming from his 2001 civil commitment trial and subsequent state-court appeal. In support of his petition, Given has filed a 17-page memorandum of law. To prepare an appropriate response, counsel for Respondent has required a substantial amount of time to analyze Given's claims, review the state-court record, conduct research, and prepare a memorandum in opposition.

2. Counsel for Respondent is working diligently to complete Respondent's memorandum in opposition, but requires additional time to do so, as counsel for Respondent is currently handling a significant caseload of criminal, civil, and

postconviction matters on behalf of the Commonwealth of Massachusetts and other parties.

3. Respondent's memorandum is currently due August 20, 2007, and Respondent has previously received one two-week extension to file his memorandum.

4. Allowance of this motion will enable counsel for Respondent to aid the Court most thoroughly and effectively and will not prejudice any party.

WHEREFORE, Respondent Robert Murphy respectfully requests that the Court allow this motion, and extend until August 27, 2007 the date by which he may file a memorandum opposing the merits of Petitioner Edward A. Given's petition for a writ of habeas corpus.

Respectfully submitted,

ROBERT MURPHY,

By his attorney,

MARTHA COAKLEY  
ATTORNEY GENERAL

/s/ Scott A. Katz  
Scott A. Katz (BBO # 655681)  
Assistant Attorney General  
Criminal Bureau  
One Ashburton Place  
Boston, Massachusetts 02108  
(617) 727-2200, ext. 2833

Dated: August 20, 2007

**Local Rule 7.1(A)(2) Certification**

I hereby certify that on August 20, 2007, I attempted to contact Michael A. Nam-Krane, counsel for Petitioner Edward A. Given in this matter, in an effort to resolve or narrow the issues presented by this motion, but was unable to reach him.

/s/ Scott A. Katz  
Scott A. Katz

**Certificate of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, including Michael A. Nam-Krane, counsel for Petitioner Edward A. Given in this matter.

/s/ Scott A. Katz  
Scott A. Katz